

Remarks

1. Applicants are grateful to the Examiner for the indications of allowable claims and subject matter. Claims 4, 13, 17-20, 23-23, and 33 have each been amended to address the Examiners rejections under 35 USC §112.
2. Claims 13 and 33 stand rejected under 35 U.S.C. §102(e) as being anticipated by Johansson et al (US 6,646,559). To address this rejections, Claims 13 and 33 have been amended to recite the features of claim 14 (or like features) and Claim 14 has thus been cancelled. Claim 15 has been made dependent on Claim 13 as a result.
3. Applicants submit that this addresses the Examiner's rejection of Claim 14 under 35 U.S.C. §103(a) as being obvious over Johansson et al (US 6,646,559) in view of Kadengal (US 6,928,053). Kadengal and the present application were (and remain) commonly owned by Nortel Networks Limited. Hence, Kadengal is not prior art citable under 35 U.S.C. §103(a) by virtue of 35 U.S.C. §103(c)(1). Accordingly, the substantive rejections of Claims 14 and 15 fall away, and thus amended Claims 13 and 33 are believed to be allowable.
4. Similarly, Applicants submit that the Examiner's rejection of Claims 17-20 under 35 U.S.C. §103(a) as being obvious over Johansson et al (US 6,646,559) in view of Kadengal (US 6,928,053) cannot be maintained. Kadengal and the present application were (and remain) commonly owned by Nortel Networks Limited. Hence, Kadengal is not prior art citable under 35 U.S.C. §103(a) by virtue of 35 U.S.C. §103(c)(1). Accordingly, the substantive rejections of Claims 17-20 also fall away.
5. However, Applicants have taken this opportunity to correct Claims 13 (as amended to recite the features of claim 14), and 17-20 to remove erroneous

inclusions of the term "transport" in the previous response. Although transport layers can request resources from other transport layers, it will be immediately apparent that not all layers of the network that request resources from transport layers of the network are themselves transport layers. Thus, the inclusion in the last response of the term "transport" to layers that request resources from transport layers was in error.

6. Claim 21 stands rejected under 35 U.S.C. §102(e) as being anticipated by Kadengal (US 6,928,053). In response, Applicants have amended Claim 21 to clarify that the "indication of required resources" provided by the topology manager is of resources "required by the first transport layer".

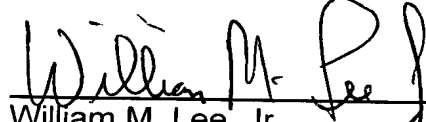
7. Kadengal teaches "assigning a respective willingness to pay WtP value to each of a plurality of network users" (see abstract, emphasis added). However, Kadengal does not teach assigning a WtP value to a first transport layer requiring resources of a second transport layer. Kadengal does not teach negotiations between transport layers of a network. Accordingly, Kadengal does not teach the claimed features of "a first transport layer comprising a topology manager arranged to provide an indication of resources required by the first transport layer and an indication of willingness to pay for said required resources; and a second transport layer comprising a service manager arranged to provide said resources responsive to a comparison between said willingness to pay and a price of said required resources". Accordingly, Applicants believe that Claim 21 is now allowable.

8. In view of the foregoing, it is respectfully submitted that this application is now in condition for allowance.

9. An appropriate Petition for Extension of Time is also submitted herewith.

February 14, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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